

DOD: 10-5-99		<p>DALE BOLDEN, Administrator with Full IAEA, filed a Petition Requesting Partition of Real Property and Reimbursement of Costs Advanced and Past Due Rents and for Attorney's Fees on 05/23/12.</p> <p>Minute Order from Status Conference on 10/26/12 states: Parties reach a settlement agreement as fully set forth by Mr. Johnson. Upon inquiry by the Court, parties individually agree to the terms and conditions of the settlement agreement. Mr. Motsenbocker is directed to prepare the agreement. Matter set for Status Hearing on 04/26/13. If all necessary documents are filed by 04/26/13, no appearance will be necessary.</p> <p>Status Report Re Estate Administration filed 04/22/13 states: In October 2012, the Ebenezer Church of God in Christ (the "Church") entered into an agreement with the Administrator of the decedent's estate to settle their dispute regarding ownership interests in the church premises. The Church agreed to pay the Administrator the sum of \$30,000.00 in monthly installments on the first of each month beginning December 2012 until the settlement was paid in full. The Church as thus far paid \$25,000.00 and the final payment is expected on 05/01/13. The Administrator stands ready, upon final payment, to convey the interest of the estate in the church premises to the Church upon the Church's instruction as to the property party name as the grantee on a grant deed. The Church's attorney has yet to provide a copy of the order that he prepared memorializing the settlement. Administrator's attorney prepared and forwarded a settlement agreement to the Church's attorney for approval and required signatures; that document has not been signed by the Church or returned to the Administrator. As soon as the documents are submitted as promised and the final payment is made, the Administrator stands ready to perform as agreed and she is prepared to submit a final account and request distribution of this estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 07/12/13</u> Minute Order from 07/12/13 states: The Court finds that the terms of the settlement have been met. The Settlement has been circulated to Attorney Johnson. The Court orders Attorney Johnson to be personally present in court with his clients at the next hearing. The Court will send notice to Attorney Johnson. If the settlement agreement is signed and submitted the matter may go off calendar.</p>
Cont. from 042613, 071213			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Status Report Re Estate Administration filed 07/11/13 states: As of May 2013, the Ebenezer Church of God in Christ has made all of the payments agreed upon in the Settlement Agreement in total sum of \$30,000.00. The estate delivered a deed to the church shortly after payment was made in May. The Administration has performed all matters in the agreement as instructed and agreed upon. The difficulties remaining are that the Church's attorney has yet to provide a copy of the order that he prepared memorializing the settlement and compromise. The attorney for the Administrator prepared and forwarded a settlement agreement to Respondent's attorney for approval and the required signatures around the beginning of the year, but that document has not been executed or returned to the Administrator's attorney. The Administrator has been ready to submit the final account and request for distribution of the estate for several months now, but for, a new dispute in regard to certain mineral rights which has now come to light. That disputed matter is set for mediation on 08/01/13 and a follow-up status hearing on the matter is set for 08/14/13.

Clerk's Certificate of Mailing filed 07/17/13 states that a copy of the **Minute Order dated 07/12/13** was mailed to Gary Motsenbocker and Mark D. Johnson on 07/17/13.

Atty David M. Gilmore and Ryan M. Janisse (for Cindy Snow Henry – Beneficiary – Petitioner)

Atty Armo, Lance (for Robert Snow)

Atty Paul Franco (for Louis Brosi, III)

Atty Wilson, Joshua G. (of Bakersfield, for Louis Brosi, Jr.)

Notice of Motion and Motion to Compel Performance Under Settlement Agreement

		<p>CINDY SNOW HENRY, Trust beneficiary, filed Notice of Motion and Motion to Compel Performance Under Settlement Agreement on 3-15-11.</p> <p>The petition seeks to have the court order LOUIS BROSI, III carry out the acts necessary to partition the property into three parcels anticipated and directed by the settlement reached 3-5-09.</p> <p>LOUIS BROSI, JR. filed Opposition on 4-28-11 stating that new issues have arisen since the settlement.</p> <p>Minute Order 1-2-13: Mr. Wilson is appearing as counsel for Louis Brosi, Jr. Counsel requests a continuance. The Court sets a Settlement Conference for 2/4/13. Parties are directed to submit their settlement conference briefs along with courtesy copies for the Court by 1/30/13. Mr. Wilson is directed to submit any further objections by 1/30/13. The Court indicates to all counsel that it will entertain any order presented upon consent of the parties. Mr. Franco is directed to submit an order prior to 2/4/13 for the purpose of expediting the County process. Continued to 2-4-13 at 10:30am in Dept 303. Set on 2-4-13 at 10:30am in Dept 303 for Settlement Conference Re: Issue of Removing Louis Brosi, Jr.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 2A: Ms. Henry's Motion filed 3-15-11 Page 2B: Court Trial (Previously: Status Conference Re: Lot Split & Related Matters) Page 2C: Ms. Henry's Petition filed 11-5-12 Page 2D: Settlement Conference Re: Issue of Removing Louis Brosi, Jr. (per Min Order 1-2-13 of Cindy Henry's Motion filed 3-15-11, Page 1A)</p> <p>Note: CINDY SNOW HENRY filed a new Petition to Remove Trustee; Appoint Public Administrator as Trustee; Require Trustee Correct Title; and Compel Trustee to Account on 11-5-12 (Page 1C).</p> <p>1. The Court may require updated information regarding whether Petitioner intends to pursue a ruling on <u>this petition</u> with reference to the new petition filed 11-5-12.</p>
Cont. from 121012, 010213, 020413, 030413, 031213, 041813, 051713, 062813			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.		<p>Reviewed by: skc</p> <p>Reviewed on: 8-6-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1A - Brosi</p>	
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

2B	Louis Brosi, Sr. (Trust)	Case No. 07CEPR01213
Atty	David M. Gilmore and Ryan M. Janisse (for Cindy Snow Henry – Beneficiary – Petitioner)	
Atty	Armo, Lance (for Robert Snow)	
Atty	Paul Franco (for Louis Brosi, III)	
Atty	Wilson, Joshua G. (of Bakersfield, for Louis Brosi, Jr.)	

Court Trial (Previously: Status Conference Re: Lot Split & Related Matters)

<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> Set on 121012, 010213, 020413, 030413, 031213, 041813, 051713, 062813 </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 10px;"> </td><td style="width: 80%;">Aff.Sub.Wit.</td><td style="width: 10px;"> </td></tr> <tr><td> </td><td>Verified</td><td> </td></tr> <tr><td> </td><td>Inventory</td><td> </td></tr> <tr><td> </td><td>PTC</td><td> </td></tr> <tr><td> </td><td>Not.Cred.</td><td> </td></tr> <tr><td> </td><td>Notice of Hrg</td><td> </td></tr> <tr><td> </td><td>Aff.Mail</td><td> </td></tr> <tr><td> </td><td>Aff.Pub.</td><td> </td></tr> <tr><td> </td><td>Sp.Ntc.</td><td> </td></tr> <tr><td> </td><td>Pers.Serv.</td><td> </td></tr> <tr><td> </td><td>Conf. Screen</td><td> </td></tr> <tr><td> </td><td>Letters</td><td> </td></tr> <tr><td> </td><td>Duties/Supp</td><td> </td></tr> <tr><td> </td><td>Objections</td><td> </td></tr> <tr><td> </td><td>Video Receipt</td><td> </td></tr> <tr><td> </td><td>CI Report</td><td> </td></tr> <tr><td> </td><td>9202</td><td> </td></tr> <tr><td> </td><td>Order</td><td> </td></tr> <tr><td> </td><td>Aff. Posting</td><td> </td></tr> <tr><td> </td><td>Status Rpt</td><td> </td></tr> <tr><td> </td><td>UCCJEA</td><td> </td></tr> <tr><td> </td><td>Citation</td><td> </td></tr> <tr><td> </td><td>FTB Notice</td><td> </td></tr> </table>		Aff.Sub.Wit.			Verified			Inventory			PTC			Not.Cred.			Notice of Hrg			Aff.Mail			Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report			9202			Order			Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice			<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note: This matter is set for Court Trial pursuant to Minute Order 12-10-12.</u></p> <p>(Examiner kept this matter's place as "B" page to keep matters in order.)</p> <p><u>Minute Order 12-10-12</u> <u>(Continued Status Conference Re: Lot Split & Related Matters):</u> Mr. Franco informs the Court that the issues have been resolved and the map has been filed with the County. Matter set for Court Trial on 1/2/13. The Court directs all counsel to file their briefs by 12/20/12.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <tr><td>Reviewed by: skc</td></tr> <tr><td>Reviewed on: 8-6-13</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 2B - Brosi</td></tr> </table>	Reviewed by: skc	Reviewed on: 8-6-13	Updates:	Recommendation:	File 2B - Brosi
	Aff.Sub.Wit.																																																																											
	Verified																																																																											
	Inventory																																																																											
	PTC																																																																											
	Not.Cred.																																																																											
	Notice of Hrg																																																																											
	Aff.Mail																																																																											
	Aff.Pub.																																																																											
	Sp.Ntc.																																																																											
	Pers.Serv.																																																																											
	Conf. Screen																																																																											
	Letters																																																																											
	Duties/Supp																																																																											
	Objections																																																																											
	Video Receipt																																																																											
	CI Report																																																																											
	9202																																																																											
	Order																																																																											
	Aff. Posting																																																																											
	Status Rpt																																																																											
	UCCJEA																																																																											
	Citation																																																																											
	FTB Notice																																																																											
Reviewed by: skc																																																																												
Reviewed on: 8-6-13																																																																												
Updates:																																																																												
Recommendation:																																																																												
File 2B - Brosi																																																																												

2B

Petition to Remove Trustee; to Appoint Public Administrator as Trustee; to Require Trustee Correct Title; and to Compel Trustee to Account [Prob. C. 17200, 15642]

		CINDY SNOW HENRY , Trust beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> See Pages 1A (Continued hearing on Notice of Motion and Motion to Compel Performance under Settlement Agreement) and 1B (Court Trial re: Status of Lot Split and Related Matters). 1. Petitioner requests appointment of Public Administrator as Successor Trustee; however, it does not appear that the Public Administrator and County Counsel were sent Notice of Hearing or that an acceptance of trust has been signed pursuant to Probate Code §15600.
		Petitioner states: Background: The Testamentary Trust of Louis Brosi Sr., was created under Louis Brosi's last will and testament. Louis Brosi, Jr., is designated as the trustee of the trust. Petitioner Cindy Snow Henry is a beneficiary. On 3-5-09, the parties entered into a Settlement Agreement recited into the record for the Court; however, there is no settlement document independent of the transcript, attached. Petitioner states the trustee has taken no action to comply with the Settlement Agreement or otherwise administer the trust since its entry. Instead, he has taken active steps to interfere with the Settlement Agreement, including, without limitation, trying to stop the efforts of Louis Brosi, III, to have the property split into three equal parcels as provided in the Settlement Agreement. The Court entered an order to enjoin that interference. In addition, the trustee has taken no steps in more than 3½ years to provide any inventory or accounting or taken steps to comply with the terms of the trust. He resides on the trust property without rent for his exclusive use and enjoyment of the property, and has provided no accounting or other information to the beneficiaries. He is utilizing trust property to run a commercial nursery for his own personal benefit and boarding horses on the property. See Exhibits 2 and 3 (photos). Petitioner states that on 9-30-11, a deed was recorded (attached) whereby the trustee, in his individual capacity, transfers the trust property to his minor granddaughter, Ashlyn Brosi. The trustee has represented at various times that he would rescind or otherwise correct the deed, but has not. <u>SEE ADDITIONAL PAGES</u>	
Cont. from 010213, 020413, 030413, 031213, 041813, 051713, 062813			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
✓	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 8-6-13
			Updates:
			Recommendation:
			File 2C - Brosi

Petitioner states the trustee is required to be represented by counsel: No person can appear in Court for another person unless the person is an active member of the State Bar. Cal. B&P Code §6125.

The Trustee is not represented by counsel at this time. Petitioner states "a trust is not a legal personality and the trustee is the proper person to sue or be sued on behalf of a trust. However, a trustee's duties in connection with his or her office do not include the right to present argument in *propria persona* in courts of the state, because in this capacity such trustee would be representing the interests of others and would therefore be engaged in the unauthorized practice of law. *Ziegler v. Nickel*, (1998) 64 Cal.App.4th 545, 548."

Petitioner states the trustee has cycled through numerous attorneys in this matter and alleges that he fires his counsel as means to further delay trust administration. As of the filing of this petition, the trustee is representing himself in *propria persona*. Such representation constitutes the unauthorized practice of law in California and is improper.

Petitioner seeks an order removing trustee on grounds that he refuses to retain counsel to represent the interests of others as beneficiaries of the trust as required by law, in addition to his repeated failures to perform his duties as trustee.

[Examiner's Update: Pursuant to Substitution of Attorney filed 12-10-12, the trustee is now represented by Joshua G. Wilson of Darling & Wilson, Bakersfield, CA.]

Petitioner requests order removing trustee for breach of trust and appointing Public Administrator as successor trustee. Petitioner states the court's inherent authority to suspend a trustee's powers and remove for cause (cites provided). A trustee has a duty to take reasonable steps to preserve trust property; however, he has purportedly transferred the trust property to his minor granddaughter. Transferring trust property to an individual who is to a beneficiary does not preserve trust property and is a violation of the trustee's fiduciary duty, and was done to avoid complying with the trust.

Petitioner states the trustee has a duty to not use or deal with trust property for his own benefit per §16004(a), but is currently residing rent-free and running two different businesses for his own personal profit on trust property, and transferred trust property to his granddaughter. All of these actions constitute violation of trust terms and his fiduciary duties, and trustee's duty to avoid conflicts of interest. He is engaged in self-dealing and no effort is made to account for his actions.

Petitioner also states hostility between the trustee and beneficiaries is good cause for removal (cite provided). The trustee's behavior towards all beneficiaries is hostile and has resulted in a contentious trust administration. Removal is also appropriate for his refusal to take any action to close the trust or account, and ignores the direction of the court. He has utterly and completely failed to act as trustee.

For the foregoing reasons, Petitioner requests the Court order the trustee's removal and appoint the Public Administrator as successor trustee.

Petitioner further requests the trustee be personally sanctioned for his actions. All of his actions are in bad faith as his stated goal is to avoid complying with the terms of the trust.

Petitioner states the trustee bears costs of removal and should bear his own attorney fees (cites provided).

SEE ADDITIONAL PAGES

Petitioner requests order compelling account. In addition to removal of the trustee, Petitioner requests the Court order him to account for his actions from the date of the Settlement Agreement (March 2009) through present.

Petitioner anticipates the trustee will argue he has no duty to account because accounting was waived in 2009'; however, this argument is fallacious because the waiver, if effective at all, is only as to events to the date of settlement. Since then, he has done nothing to administer the trust, violated numerous fiduciary duties, used the property for free, and ran at least two businesses on the property without accounting to beneficiaries.

Petitioner states the trustee should be surcharged for his undue gain for such breaches.

Petitioner prays for an Order as follows:

1. Removing Louis Brosi, Jr., as trustee of the Testamentary Trust of Louis Brosi, Sr.
2. Ordering Louis Brosi, Jr., account for his actions as trustee in the manner prescribed in Probate Code § 1060-1064 from March of 2009 through the present;
3. Appointing the Public Administrator as successor trustee of the trust;
4. Ordering Louis Brosi, Jr., bear his own costs and attorney fees for defense of this action; Ordering Louis Brosi, Jr., retitle the Trust property in the name of the trust; and
5. For all other orders the Court deems just and proper.

Opposition filed 12-20-12 by Louis C. Brosi, III, states Mrs. Snow waived accounting in the Stella Brosi Estate and her undivided one-half of the western-most parcel is all that she will receive from the trust. In other words, Mrs. Snow has released all claims known and unknown against the trust and has waived an accounting.

The Court is familiar with the long sorted history of this family and this litigation, and is also aware that there have been allegations by all parties amongst each other, and against Mrs. Henry specifically, about causing delays. Over the last 12 months, significant progress has been made toward division of the property. Louis C. Brosi, III has been performing all of the division work as obligated under the Settlement Agreement. At this time, a tentative parcel map has been filed with the County of Fresno and the various public entities have begun their work towards approving the division and finalizing the map.

It has been too long in this process to remove Mr. Brosi as trustee now. Mrs. Henry is the only person advocating for his removal. Louis C. Brosi, III and Doris Brosi are against any such removal.

Objector states there is simply no basis for the removal. Mrs. Henry is not to receive any other money, land or benefit from the trust under the settlement agreement, so her request for accounting and the lack thereof as basis for removal is simply nonsensical. Her parcel has been cleared and no nursery, horse boarding or living by Mr. Brosi is happening on her expected parcel. The accounting is waived under the settlement agreement, so that is further reason why this is not a basis for removal.

It is understood Mr. Brosi is in the process of having title to the trust property reinstated.

If the genesis of Mrs. Henry's complaint is delays in administration, she hasn't seen anything if Mr. Brosi is removed and the public administrator is appointed. In fact, the public administrator was already previously appointed in this case, but was removed as part of the settlement. The parties are too close to the property being divided. He should not be removed at all. He is currently represented by counsel.

While Mr. Brosi's removal is objected to, if for any reason he should be removed, Objector requests DORIS BROSI be appointed trustee in his place.

2D Louis Brosi, Sr. (Trust)

Case No. 07CEPR01213

Atty David M. Gilmore and Ryan M. Janisse (for Cindy Snow Henry – Beneficiary – Petitioner)

Atty Armo, Lance (for Robert Snow)

Atty Paul Franco (for Louis Brosi, III)

Atty Wilson, Joshua G. (of Bakersfield, for Louis Brosi, Jr.)

Settlement Conference Re: Issue of Removing Louis Brosi, Jr.

		NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> See minute orders from 020413, 030413, 031213, 041813 for history. Examiner notes are not prepared for Settlement Conference; however, please see Examiner Notes and history on Page 1A. <u>Note:</u> Bobby Snow, represented by Lance Armo, has never formally made appearance in this case. However, he has now filed a Trial Brief for this hearing date. \$435 is due.
Cont. from 020413, 030413, 031213, 041813, 062813		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		Reviewed by: skc
		Reviewed on: 8-6-13
		Updates:
		Recommendation:
		File 2D - Brosi

2D

**Petition to Determine Title to and Require Transfer of Property to Trust [Prob. C.
850(a)(2)(3), 855, 17200(b)(6)]**

Stephan DOD: 08/09/05		DENNIS FREEMAN , successor trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Order.	
Debbra DOD: 05/13/13				
Cont. from		Petitioner states: 1. Stephan F. Winter and Debbra L. Winter ("Settlers") executed the Stephan F. Winter and Debbra L. Winter Revocable Trust (the "Trust") on 02/16/94 in their capacity as Settlers and initial Trustees. The Trust was amended on 09/14/02. 2. Petitioner is the currently acting successor trustee of the Trust. 3. This petition concerns the ownership of the original Trust documents which Christopher Lull ("Respondent") or his agents have taken possession of and refused to deliver to the trustee. 4. The Settlor's maintained the original trust documents in a binder. Shortly before her death, Debbra delivered the binder to real estate agent Michele Lane in connection with a real estate transaction. The real estate agent had possession of the binder when Debbra died and maintained possession of it, refusing to deliver it to anyone without a court order. Thereafter, Respondent's attorney, Sue Campbell, represented to Michele Lane that the family agreed that it was ok that Ms. Lane release the binder to Respondent in care of attorney Sue Campbell. 5. This was not acceptable to Petitioner because (1) Petitioner was the trustee and not respondent, and (2) Respondent, Debbra's son, had been intentionally omitted from the Trust due to a long standing estranged relationship. 6. Petitioner has demanded the release of the trust binder from Respondent's former attorney, Sue Campbell; however, initially Sue Campbell's assistant professed no knowledge of a binder being picked up by her office and later Sue Campbell professed no knowledge of a binder being picked up from Michele Lane. Petitioner's demands that Respondent deliver the binder to Petitioner's attorney have been ignored.		
<input type="checkbox"/>	Aff.Sub.Wit.			<input type="checkbox"/>
<input checked="" type="checkbox"/>	Verified			<input type="checkbox"/>
<input type="checkbox"/>	Inventory			<input type="checkbox"/>
<input type="checkbox"/>	PTC			<input type="checkbox"/>
<input type="checkbox"/>	Not.Cred.			<input type="checkbox"/>
<input checked="" type="checkbox"/>	Notice of Hrg			<input type="checkbox"/>
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			<input type="checkbox"/>
<input type="checkbox"/>	Sp.Ntc.			<input type="checkbox"/>
<input type="checkbox"/>	Pers.Serv.			<input type="checkbox"/>
<input type="checkbox"/>	Conf. Screen			<input type="checkbox"/>
<input type="checkbox"/>	Letters			<input type="checkbox"/>
<input type="checkbox"/>	Duties/Supp			<input type="checkbox"/>
<input type="checkbox"/>	Objections			<input type="checkbox"/>
<input type="checkbox"/>	Video Receipt			<input type="checkbox"/>
<input type="checkbox"/>	CI Report			<input type="checkbox"/>
<input type="checkbox"/>	9202			<input type="checkbox"/>
<input type="checkbox"/>	Order			x
<input type="checkbox"/>	Aff. Posting			<input type="checkbox"/>
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>		
<input type="checkbox"/>	UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/>	Citation	<input type="checkbox"/>		
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>		
Petitioner prays for an Order: 1. Declaring that Petitioner is the sole owner of the original trust documents and that Respondent has no interest in the original trust documents. 2. Directing Respondent to immediately deliver possession to Petitioner of any and all trust documents including but not limited to the original Trust, original Trust amendment, and the estate planning binder.			Reviewed by: JF Reviewed on: 08/08/13 Updates: Recommendation: File 3A – Winter	

**Petition to Determine Title to and Require Transfer of Property to Trust Regarding
Bank Account [Prob. C. 850(a)(2)(3), 855, 17200(b)(6)]**

Stephan DOD: 08/09/05	DENNIS FREEMAN , successor trustee, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:																																																																					
Debbra DOD: 05/13/13	Petitioner states: 7. Stephan F. Winter and Debbra L. Winter ("Settlers") executed the Stephan F. Winter and Debbra L. Winter Revocable Trust (the "Trust") on 02/16/94 in their capacity as Settlers and initial Trustees. The Trust was amended on 09/14/02. 8. Petitioner is the currently acting successor trustee of the Trust. 9. This petition concerns the ownership of Bank of America account no. xxxx xxxx 3919 with a balance of over \$565,000 which was an asset of the Trust. 10. Petitioner is informed and believes that Respondent, Christopher Lull, presented Bank of America on or about June 26, 2013 the original 02/16/94 Trust without including the 09/14/02 amendment and wrongfully obtained the balance of the Bank of America Account.																																																																						
Cont. from	Petitioner prays for an Order: 1. Declaring that Petitioner is the sole owner of the funds in Bank of America account no. xxxx xxxx 3919 and the sums wrongfully removed from said account and that Respondent has no interest in the account or the balance of the account; 2. Directing Respondent to immediately deliver the amounts removed from the account to Petitioner; 3. Directing Respondent to pay Petitioner's attorney's fees and costs; and 4. Awarding Petitioner with exemplary damages against Respondent according to proof.																																																																						
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;"></td> <td style="width:85%;">Aff.Sub.Wit.</td> <td style="width:10%;"></td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td>Aff.Mail</td> <td align="center">w/</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td></td> <td>Letters</td> <td></td> </tr> <tr> <td></td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td></td> <td>Order</td> <td align="center">x</td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>			Aff.Sub.Wit.		<input checked="" type="checkbox"/>	Verified			Inventory			PTC			Not.Cred.		<input checked="" type="checkbox"/>	Notice of Hrg		<input checked="" type="checkbox"/>	Aff.Mail	w/		Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report			9202			Order	x		Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice		
	Aff.Sub.Wit.																																																																						
<input checked="" type="checkbox"/>	Verified																																																																						
	Inventory																																																																						
	PTC																																																																						
	Not.Cred.																																																																						
<input checked="" type="checkbox"/>	Notice of Hrg																																																																						
<input checked="" type="checkbox"/>	Aff.Mail		w/																																																																				
	Aff.Pub.																																																																						
	Sp.Ntc.																																																																						
	Pers.Serv.																																																																						
	Conf. Screen																																																																						
	Letters																																																																						
	Duties/Supp																																																																						
	Objections																																																																						
	Video Receipt																																																																						
	CI Report																																																																						
	9202																																																																						
	Order	x																																																																					
	Aff. Posting																																																																						
	Status Rpt																																																																						
	UCCJEA																																																																						
	Citation																																																																						
	FTB Notice																																																																						
		Reviewed by: JF																																																																					
		Reviewed on: 08/08/13																																																																					
		Updates:																																																																					
		Recommendation:																																																																					
		File 3B – Winter																																																																					

Jade (13)	TEMP EXPIRES 8-12-13	NEEDS/PROBLEMS/COMMENTS: <u>SEE PAGE 2</u>	
Ramon (2)	<p>ARIANNA MANCERA, Maternal Aunt, is Petitioner and requests appointment of LORRAINE MANCERA and DIANE MANCERA, Maternal Aunts, as Co-Guardians.</p> <p>Father (Jade): MODESTO BULOSAN</p> <p>Father (Ramon and Samuel): UNKNOWN</p> <p>Mother: DIAMOND TINE PAULA MANCERA BULOSAN</p> <p>Paternal Grandfather (Jade): Unknown Paternal Grandmother (Jade): Unknown</p> <p>Paternal Grandfather (Ramon and Samuel): Unknown Paternal Grandmother (Ramon and Samuel): Unknown</p> <p>Maternal Grandfather: Unknown Maternal Grandmother: Maria Paz Mancera - Deceased</p> <p>Petitioner states Jade was under guardianship with the maternal grandmother since she was 11 months old; however, the guardian passed away three years ago, and the family did not know that they should notify the Court. The mother also recently turned over Jade's half-brothers Samuel and Ramon to a family member stating that she could not care for them. The family member picked them up from what he believes was a crack house. The mother told him she was homeless. He brought them to the mother's sisters, since they have been caring for Jade and are the best people to care for the boys as well. The family is fearful that the mother will attempt to remove the children from their care – they were brought to the family filthy and hungry with matted hair and smelling of urine, ill-fitting clothes and no shoes.</p> <p>Court Investigator Jo Ann Morris filed a report on 8-2-13.</p>		
Samuel (1)			
Aff. Sub. Wit.			
✓ Verified			
Inventory			
PTC			
Not. Cred.			
Notice of Hrg			X
Aff. Mail			X
Aff. Pub.			
Sp. Ntc.			
Pers. Serv.			X
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
✓ Clearances			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA	X		
Citation			
FTB Notice			

Reviewed by: skc

Reviewed on: 8-8-13

Updates:

Recommendation:

File 4B – Bulosan & Suarez

Page 2

NEEDS/PROBLEMS/COMMENTS:

1. **Need clarification:** Arianna Mancera is the Petitioner in this case, rather than the proposed guardians Lorraine Mancera and Diane Mancera. As a relative, Arianna can file this petition under Probate Code § 1510, but she is not otherwise a party to the case. Examiner notes that for Court fees to be waived, all petitioners must qualify. The Court may require clarification or separate requests for fee waivers from the proposed guardians, or payment of fees.
2. **Need UCCJEA (Form GC-120) per Probate Code §§ 1510(f), 1512** containing residence history for each minor for the past 5 years as well as information regarding other cases.
3. **Need Notice of Hearing.**
4. **Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per §1511 or consent and waiver of notice or declaration of due diligence on:**
 - Jade Bulosan (minor, age 13)
 - Modesto Bulosan (father)
 - Father of Roman and Samuel
 - Diamondtine Paula Mancera Bulosan (mother)

Note: *Petitioner state Modesto Bulosan was deported to the Philippines due to criminal behavior and his whereabouts are unknown, and the father of Samuel and Roman is unknown to Petitioner. The mother's whereabouts are unknown.*

5. **Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per §1511 or consent and waiver of notice or declaration of due diligence on:**
 - Jade's paternal grandparents
 - Roman and Samuel's paternal grandparents
 - Maternal grandfather

Atty Crawford, Angelita C. (Pro Per – Petitioner – Maternal Grandmother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Dallas 9	NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS:
Dylan 7			
Dwayne 1	ANGELITA CRAWFORD, maternal grandmother is petitioner.		Petition pertains only to Dallas Kerns, Dylan Kerns & Dwayne McCoy. Petitioner obtained guardianship of Ariel Golden on 03/18/2009.
Cont. from	Father of Dallas & Dylan: CHARLES KERNS		
Aff.Sub.Wit.			
✓ Verified	Father of Dwayne: DWAYNE LAJUAN MCCOY		1. Need Notice of Hearing.
Inventory			
PTC			2. Need proof of personal service fifteen (15) days prior to the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
Not.Cred.			<ul style="list-style-type: none"> Charles Kerns (Father of Dallas & Dylan) Anita English (Mother) Dwayne Lajuan McCoy (Father of Dwayne)
Notice of Hrg	X	Paternal Grandfather: Not Listed Paternal Grandmother: Donna Clark	
Aff.Mail	X	Maternal Grandfather: James English	
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	X	Petitioner states: Anita, the mother, was given custody of Dallas and Dylan after getting out of prison but has yet to take them from petitioners home. The children continue to reside with the petitioner. Petitioner continues to ask the mother when she is going to take her children home and she always replies "soon" but soon never comes. Petitioner states that the mother is just not ready to care for her children.	3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
Conf. Screen			<ul style="list-style-type: none"> Paternal Grandfather of Dallas & Dylan (Not Listed) Donna Clark (Paternal Grandmother) Paternal Grandparents of Dwayne (Not Listed) James English (Maternal Grandfather)
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report		Court Investigator Charlotte Bien's report filled 07/30/2013.	
9202			
✓ Order			
Aff. Posting			Please see additional page
Status Rpt			Reviewed by: LV
✓ UCCJEA			Reviewed on: 08/07/2013
Citation			Updates:
FTB Notice			Recommendation:
			File 5 – Golden, Kerns & McCoy

NEEDS/PROBLEMS/COMMENTS (continued):

4. UCCJEA does not provide the children's residence for the past five years as required.
5. Page #5 of the Guardianship Petition – Child Attachment form is incomplete for each child. Page #5 pertains to whether the children have any known Indian Ancestry. Need declaration with page #5 attached for each child.
6. Page #2 of the Guardianship Petition –Child Attachment form for Dallas Kerns is missing. Page #2 pertains to the relatives of the child. Need declaration with page #2 attached.

Petition for Termination of Guardianship

Age: 18 years		<p>MARY MORALES, maternal grandmother/successor guardian, is petitioner.</p> <p>Father: PETER GARCIA – whereabouts unknown.</p> <p>Mother: SUSAN MORALES – deceased.</p> <p>Paternal grandparents: unknown Maternal grandfather: Deceased.</p> <p>Former minor, Gerald Ray Morales consents and waives notice.</p> <p>Petitioner states the minor is 18 and a guardianship is no longer necessary.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Final Accounting has been filed and is set for 9/12/2013.</p> <p>1. Need Notice of Hearing with proof of service on father, Peter Garcia, <u>or</u> consent and waiver of Notice <u>or</u> declaration of due diligence.</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: KT</p> <p>Reviewed on: 8/8/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6A – Morales</p>	

6A

Ex Parte Petition for Withdrawal of Funds from Blocked Account

Age: 18 years		<p>MARY MORALES, maternal grandmother/successor guardian, is petitioner.</p> <p>Father: PETER GARCIA – whereabouts unknown.</p> <p>Mother: SUSAN MORALES – deceased.</p> <p>Paternal grandparents: unknown Maternal grandfather: Deceased.</p> <p>Former minor, Gerald Ray Morales consents.</p> <p>Petitioner requests withdrawal of the funds in the blocked account totaling \$56,817.75. The petition requests distribution of the funds to the former minor, Gerald Ray Morales.</p> <p>Declaration of Gerald Ray Morales attached to the petition states Mr. Morales is asking the court to release the funds from his blocked account. Mr. Morales states since he has turned 18 he is no longer eligible for Social Security benefits and he has no money to pay for his personal needs. The money in the blocked account is his and he is asking the court to release the funds to him.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This matter was original presented ex parte. Order on Ex Parte Petition states the no accounting has been filed pursuant to Probate Code §2620. In addition, there are unpaid filing fees totaling \$990.00 due to a fee waiver granted to petitioner, who was appointed as successor guardian of the person and estate on 1/25/2012. Filing fees are due prior to distribution of assets.</p> <p>A Final Accounting has been filed and is set for hearing on 9/12/2013.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 8/8/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6B – Morales</p>	

6B

Status Hearing Re: Filing of the First Account or Petition for Final Distribution

Age:			NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> Order for final distribution signed on 8/1/2012.	
DOD:				
Cont. from				
	Aff.Sub.Wit.			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: KT Reviewed on: 8/7/2013 Updates: Recommendation: File 7 – Marlin

DOD: 12/14/2012		KURT JOHN BREMENKAMP , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived? (see note #2)	1. Petition was not verified. Probate Code §1021.
Cont. from		I & A - \$170,050.00	2. Need waiver of account from beneficiary, Sandra Lee Kunz.
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$170,050.00	
<input checked="" type="checkbox"/>	Verified	Executor - waives	3. Order does not distribute the refrigerator. Need revised order.
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Distribution of property on hand consisting of real property and a refrigerator is to:	
<input checked="" type="checkbox"/>	Notice of Hrg	Kurt John Bremenkamp – ½ interest in real property and ½ interest in the refrigerator.	
<input checked="" type="checkbox"/>	Aff.Mail	Sandra Lee Kunz - ½ interest in real property and ½ interest in the refrigerator.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 8/8/2013
			Updates:
			Recommendation:
			File 8 – Bremenkamp

Age: 15 years		<u>TEMPORARY EXPIRES ON 8/12/2013</u>		NEEDS/PROBLEMS/COMMENTS:	
		DERRICK TAYLOR , non-relative, is petitioner.		1. Need Notice of Hearing.	
		Father: CHARLES ANTHONY STEWART – consents and waives notice.		2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice for:	
Cont. from		Mother: BETTY NUNEZ – Declaration of Due Diligence.		a. Betty Nunez (mother) – unless the court dispenses with notice.	
	Aff.Sub.Wit.			3. Need proof of service of the Notice of Hearing along with a copy of the Petitioner or Consent and Waiver of Notice or Declaration of Due Diligence on:	
✓	Verified			a. Paternal grandparents	
	Inventory			b. Maternal grandparents	
	PTC			4. Petition does not list the names and current addresses of the paternal grandparents and the maternal grandparents.	
	Not.Cred.			5. UCCJEA is incomplete. Need minor's residence information for the past 5 years.	
	Notice of Hrg	X			
	Aff.Mail	X			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
		<p>Siblings: Dion Sider – consents and waives notice.</p> <p>Shanic Parnell – consents and waives notice.</p> <p>Minor Cvaughn Stewart – consents and waives notice.</p> <p>Petitioner states the minor told him that he does not want to live with his mother because she does not love him or care for him. Petitioner states he wants to make sure that his is loved and has good grades in school and a warm bed to sleep in. He wants to keep doing what he has done all his life. That is to love him.</p> <p>DSS Social Worker, Keith Hodges report filed on 8/6/2013.</p>			
				Reviewed by: KT	
				Reviewed on: 8/8/2013	
				Updates:	
				Recommendation:	
				File 9 – Stewart	

Petition to Establish the Fact of Birth (Health & Safety Code §103450)

Age: 11 years	ANGELA MARIE ANDERSON, mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner states that Kelly Elizabeth Anderson was born to STEVEN LYLE ANDERSON and ANGELA MARIE ANDERSON . The birth of Kelly was not registered because she was born at home.	<u>Note:</u> Health and Safety Code §103450 does not include any notice requirements. Petition lists Steven Anderson as the father. Court may require notice to Steven Anderson or consent of Steven Anderson to be named as the father on the Order Establishing Fact of Birth.
Cont. from	Petitioner requests an Order of this court establishing the fact of birth of Kelly Elizabeth Anderson.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail	Declaration of Cheryl Ann Hassler, maternal grandmother , states she has known Kelly her entire life and knows that she was home birthed.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Declaration of Samantha Marie Anderson, sister , states she has known Kelly her entire life and knows that she was born at home.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: KT
<input type="checkbox"/> Status Rpt		Reviewed on: 8/8/2013
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 10 – Anderson

Petition to Establish the Fact of Birth

Age: 17 years		ANGELA MARIE ANDERSON , mother, is petitioner. Petitioner states that Eric Steven Anderson was born to STEVEN LYLE ANDERSON and ANGELA MARIE ANDERSON . The birth of Eric was not registered because he was born at home. Petitioner requests an Order of this court establishing the fact of birth of Eric Steven Anderson.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Health and Safety Code §103450 does not include any notice requirements. Petition lists Steven Anderson as the father. Court may require notice to Steven Anderson or consent of Steven Anderson to be named as the father on the Order Establishing Fact of Birth.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	Declaration of Cheryl Ann Hassler, maternal grandmother , states she has known Eric his entire life and knows that he was home birthed. Declaration of Samantha Marie Anderson, sister , states she has known Eric his entire life and knows that he was born at home.	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report	Reviewed by: KT Reviewed on: 8/8/2013 Updates: Recommendation: File 11 – Anderson	
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

Age: 8		GENERAL HEARING 10/01/2013		NEEDS/PROBLEMS/COMMENTS:	
		MONTI GALE CLARK , maternal grandmother is petitioner.		1. Need Notice of Hearing.	
Cont. from		Father: SCOTT JOSHUA LUNS福德		2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
<input type="checkbox"/>	Aff.Sub.Wit.			<ul style="list-style-type: none"> • Scott Joshua Lunsford (Father) • Crystal Snow Bailey (Mother) 	
<input checked="" type="checkbox"/>	Verified	Mother: CRYSTAL SNOW BAILEY		3. Petitioner did not sign the UCCJEA.	
<input type="checkbox"/>	Inventory	Paternal Grandfather: Joshua Lunsford			
<input type="checkbox"/>	PTC	Paternal Grandmother: Michelle (Unknown last name)			
<input type="checkbox"/>	Not.Cred.				
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>	Maternal Grandfather: Paul Bailey		
<input type="checkbox"/>	Aff.Mail	<input type="text" value="n/a"/>			
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>			
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>			
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>	Conf. Screen	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Letters	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Duties/Supp	<input type="checkbox"/>			
<input type="checkbox"/>	Objections	<input type="checkbox"/>			
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>			
<input type="checkbox"/>	CI Report	<input type="checkbox"/>			
<input type="checkbox"/>	9202	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>			
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>			
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>			
<input type="checkbox"/>	Citation	<input type="checkbox"/>			
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>			
				Reviewed by: LV	
				Reviewed on: 08/08/2013	
				Updates:	
				Recommendation:	
				File 12 – Lunsford	

Jaedyn Age: 2		GENERAL HEARING 09/30/2013		NEEDS/PROBLEMS/COMMENTS:	
		SANDRA KELLY WRIGHT , maternal grandmother is petitioner.		Petition pertains only to Jaedyn James Hewitt Wright. Petitioner was appointed guardianship of Noah Thomas Gable-Wright on 11/19/2012. 1. Need Notice of Hearing. 2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Jonathan Hewitt (Father) – Unless the Court dispenses with notice. Note: Declaration of Due Diligence filed 07/30/2013 states his location is unknown. <ul style="list-style-type: none"> Karissa Wright (Mother) 	
		Father: JONATHAN HEWITT , Declaration of Due Diligence filed on 07/30/2013			
		Mother: KARISSA WRIGHT			
		Paternal Grandparents: Unknown			
		Maternal Grandfather: Kenneth Wright			
Cont. from		Petitioner states: on 06/21/2013 mother checked into a mental facility after three or four days she checked out with another patient and moved to Auberry. She left the child with the petitioner. Petitioner states the mother is doing drugs.			
<input type="checkbox"/>	Aff.Sub.Wit.				
<input checked="" type="checkbox"/>	Verified				
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.				
<input type="checkbox"/>	Notice of Hrg			x	
<input type="checkbox"/>	Aff.Mail				
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input type="checkbox"/>	Pers.Serv.	x			
<input checked="" type="checkbox"/>	Conf. Screen				
<input checked="" type="checkbox"/>	Letters				
<input checked="" type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
<input checked="" type="checkbox"/>	UCCJEA				
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 08/08/2013	
				Updates:	
				Recommendation:	
				File 13 – Gable-Wright	

DOD: 10-12-12		<p>EDDIE J. ROGERS, Son and Administrator with Will Annexed, is Petitioner.</p> <p>Petitioner was appointed as Administrator with Will Annexed on 4-4-13 with Limited IAEA and bond of \$55,000.00.</p> <p>Petitioner states he has been and will be unable to post the required bond. The only cash of the estate totaling approx. \$43,073.44 is held in various accounts at Bank of the West. A monthly automatic withdrawal of \$529.21 is made from the savings account to pay the monthly mortgage payment. In addition to the cash, the personal property of the decedent including misc. household furniture and furnishings and personal belongings is estimated to have a value of \$1,000.00.</p> <p>Petitioner has already advanced more than \$5,000.00 of his own funds for the benefit of the estate for property maintenance including taxes, utilities, repairs, and security.</p> <p>Petitioner requests that the order appointing him as administrator be amended to instead require funds blocked.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> If granted, the Court will set a status hearing for 9-6-13 for filing of the receipts for blocked accounts, since there is already a status hearing set for that date for the filing of the Inventory and Appraisal.</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 8-8-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 – Rogers</p>	

Atty Childs, Erin M., of Childs Law Office (for Petitioners James Mobley and Laurel Mobley)

Petition for Appointment of Temporary Guardian of the Person
(Prob. C. 2250)

Age: 6 years		<p align="center">TEMPORARY GUARDIANSHIP GRANTED EX PARTE EXPIRES 8/12/2013</p> <p align="center"><u>General Hearing set for 9/30/2013</u></p> <p>JAMES MOBLEY and LAUREL MOBLEY, paternal grandparents, are Petitioners.</p> <p>Father: DANIEL MOBLEY Mother: MELANIE MILLER</p> <p>Maternal grandfather: Don Miller; <i>sent notice by mail 7/30/3013.</i> Maternal grandmother: Susan Tandy; Deceased.</p> <p>Petitioners state:</p> <ul style="list-style-type: none"> The child has lived primarily with them for most of his life, and guardianship is needed because the child's parents are chronically addicted to methamphetamines and alcohol, they have abused these drugs for years, and the abuse has recently escalated; Temporary guardianship is needed because the parents are moving to Colorado on 7/30/2013 and Petitioners will not be able to protect and care for the child; Petitioners wish to prevent the child from being taken to Colorado in order to take him out of the drug and alcohol environment, and to seek medical treatment for his special medical needs that have gone ignored by his parents; Petitioners state they are the child's primary caretakers and sole providers (financially for the parents and child), and are the only two people who consistently nurture and protect him; <p align="center"><i>~Please see additional page~</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p align="center">This matter will be heard in Department 71 at 8:30 a.m.</p> <p align="center"><i>~Please see additional page~</i></p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.W.			
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W /
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			X
✓	Conf. Screen			
<input type="checkbox"/>	Letters			
✓	Duties/S.			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Rcpt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
✓	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 8/8/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 – Mobley</p>		

Petitioners state, continued:

- The child has special medical needs that have gone ignored by his parents, and the child is regularly exposed to the drug lifestyle and is often left unattended in the parents' dirty and unsanitary home while his parents are high or passed out due to drugs and alcohol;
 - The parents have openly admitted they need rehabilitation on numerous occasions, for which the Petitioners have told the parents they will pay but the parents have not accepted their offers;
 - The child's father, Daniel, has lost his driver's license due to 2 recent DUI's, and he has violated the terms of his probation by drinking alcohol and driving while intoxicated since being last arrested for DUI; Daniel is normally very kind, but when on meth his moods swing dramatically and he suffers paranoid rages; he has never physically hurt them or the child, but his rages are getting worse, and the child sees everything and pleads with his father to stop, but Daniel doesn't even see that the child is in the room; Daniel owns several guns and rifles at his apartment and has pulled the guns out before, and Petitioners are concerned that the weapons could be used inappropriately when Daniel is impaired;
 - Petitioners are very closely bonded with the child, who has his own room filled with toys and books at Petitioners' home, and Petitioners are the only safety and stability the child knows; he has spent over 50% of his life at Petitioners' home; Petitioners have regularly taken the child to and from school and his teachers know the Petitioners;
 - Petitioners feel they must protect the child until the parents successfully complete rehabilitation programs; Petitioners want the child's parents to have the child back with them as long as they are alcohol and drug free, and can provide him with a clean, safe home;
 - **Therefore, Petitioners' request the Court order:**
 1. Temporary guardianship is granted to Petitioners;
 2. That the child's parents Daniel and Melanie successfully complete an accredited drug and alcohol rehab program;
 3. That Daniel earn his California driver's license back by complying with the terms of his probation;
 4. That Daniel and Melanie successfully complete a court-approved parenting class;
 5. That Daniel and Melanie successfully complete a court-approved anger management class; and
 6. Frequent, supervised, healthy contact between the child and his parents until the guardianship is terminated.
 - **Petitioners request an order dispensing with notice under Probate code § 1511 to the mother and father** because if they learn that Petitioners are seeking temporary guardianship of the child, Petitioners are certain that they will take the child and run away with him to the State of Colorado, where the mother's family lives and where they intend on moving on 7/30/2013; the mother and father have received **\$7,000.00** from the mother's family to fund their move to Colorado so Petitioners believe their threats to move with the child are feasible and legitimate.
1. If Court does not excuse notice as requested by Petitioners, pursuant to Probate Code 2250(e), need proof of five (5) court days' notice by personal service of the *Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence* for:
 - **MELANIE MILLER**, mother;
 - **DANIEL MOBLEY**, father.
 2. *Confidential Guardian Screening* form of James Mobley filed on 7/26/2013 does not include *Attachment 5* explaining answer re: psychiatrist, psychologist, or therapist.